

STATEMENT UNDER 37 CFR 1.97(e) ACCOMPANYING
INFORMATION DISCLOSURE STATEMENT

Docket No.
NEC N01270

In Re Application Of: KASHIWAGI

JUL 07 2003

Serial No.
09/859,652

Filing Date
May 17, 2003

Examiner

Group Art Unit
2643

Invention: Telephone Set and Response Method to Incoming Call

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Technology Center 2600

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

This is a statement under the provisions of 37 CFR 1.97(e) in the above-identified application.

Check applicable statement herebelow:

Statement Under 37 CFR 1.97(e)(1)

- ☒ Each item of information contained in the accompanying Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Information Disclosure Statement.

Statement Under 37 CFR 1.97(e)(2)

- ☐ No item of information contained in the accompanying Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned person, after making reasonable inquiry, no item of information contained in the accompanying Information Disclosure Statement was known to any individual designated in 37 CFR 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.


Signature

Dated:

July 3, 2003

Norman P. Soloway
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HAYES SOLOWAY P.C.
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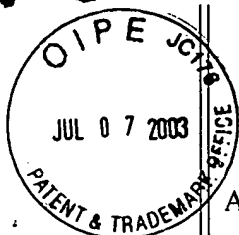
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Kathryn Grimes

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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07-16-03

APPLN. OF: KASHIWAGI

SERIAL NO.: 09/859,652

JUL 10 2003

FILED: May 17, 2001

Technology Center 2600

FOR: Telephone Set and Response Method to Incoming Call

GROUP: 2643

DOCKET: NEC N01270

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In connection with the above-entitled matter, Applicant hereby attaches U.S. Patent Office form PTO-1449, including copies of the references listed therein. These references were cited in the Canadian Office Action dated May 1, 2003 of the underlying Japanese patent application. Enclosed is a copy of the Canadian Office Action. The claims in the present application are believed to be patentably distinguished over these references.

This Information Disclosure statement is being made pursuant to the duty of disclosure imposed by law and formulated in 37 CFR 1.56(A). No representation is made that the information thus disclosed in fact constitutes prior art or that it is the closest prior art, inasmuch as 37 CFR 1.56(A) relies on a materiality concept which depends on subjectivity.

The relevance to the pending U.S. patent application is that the references were cited in a foreign patent application on the same subject matter. However, no independent analysis of the references, the accuracy of the statement of foreign examiner or the claims of the foreign

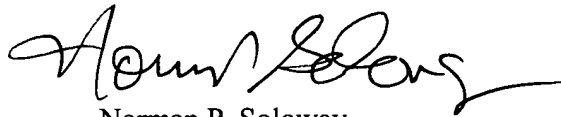
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application under the laws of the country or the United States relative to the subject matter claimed in the present application has been made; the present understanding of the contents thereof by the undersigned being based on the translation of the foreign examiner's comments submitted therewith.

The enclosed Information Disclosure Statement is being submitted within three months of the Canadian Office Action, as certified in the attached Certification for Information Disclosure Statement, and before the first action on the merits. Therefore, we believe there are no fees involved with this Information Disclosure Statement. In the event there are additional fees payable, please charge them to our Deposit Account No. 08-1391.

Respectfully submitted,



Norman P. Soloway
Attorney for Applicant
Registration No. 24,315

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on July 3, 2003 at Tucson, Arizona.

By: 

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